

- (B) a glycol component comprising repeat units from at least about 85 mole % ethylene glycol,

wherein components A) and B) are based on 100 mole % dicarboxylic acid and 100 mole % of glycol; and

- II. from 20 to 2.5 weight % of a low molecular weight polyamide, having a number average molecular weight of less than about 15,000, having the repeating unit A-D, wherein A is the residue of a dicarboxylic acid comprising adipic acid, isophthalic acid, terephthalic acid, 1,4-cyclohexanedicarboxylic, resorcinol dicarboxylic acid, or naphthalenedicarboxylic acid, or a mixture thereof, and D is a residue of a diamine comprising *m*-xylylene diamine, *p*-xylylene diamine, hexamethylene diamine, ethylene diamine, or 1,4-cyclohexanedimethylamine, or a mixture thereof,

wherein components I and II total 100 weight % of the polymer blend and wherein the article has a haze value of from about 2 to about 5 times less than a polymer blend comprising polyester terephthalate and MXD6.

REMARKS

In the Office Action, claims 1-19 and 22-23 were rejected and claims 20-21 were objected to. Claims 11 and 15 have been canceled, without prejudice. Claims 1, 14, and 20-22 have been amended herewith. Claims 1-10, 14, 16-17, and 20-23 are pending in the Application.¹

Claims 1, 14, and 22 have been amended herewith to remove the term "about" in relation to the 97.5 weight % upper limit of semi-crystalline polyester and in relation

¹ Claims 12-13 and 18-19 were canceled, without prejudice, in an earlier Amendment dated February 28, 2002.

to the 2.5 weight % lower limit of low molecular weight polyamide. Support for this amendment can be found in the specification at page 6, lines 20-21.

Claims 20 and 21 have been rewritten in independent form. Also, claims 20 and 21 have been amended to recite "from about 20 to about 3 weight % of a low molecular weight polyamide." Support for this amendment can be found in the specification at page 11, line 14.

Applicants' undersigned representative thanks the Examiner for the courtesy extended in their telephone call of April 26, 2002. During the call, the upper weight % limit of semi-crystalline polyester and the lower weight % limit of low molecular weight polyamide were discussed. In particular, it was agreed that removing the term "about" as it relates to the 97.5 weight % limit of semi-crystalline polyester and the 2.5 weight % limit of low molecular weight polyamide would place the rejected independent claims, and those claims dependent thereon, in condition for allowance.²

No new matter has been added by these amendments; therefore, Applicants respectfully request that examination continue on the claims as amended herewith.

CONCLUSION

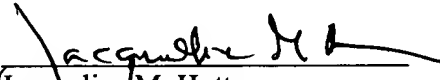
In light of the telephone discussion with the Examiner on April 26, 2002, as well as the above amendments and arguments made herein, Applicants respectfully submit that the rejections have been overcome and that the claims are in condition for allowance. Accordingly, Applicants respectfully request a notice of same.

² Since the removal of "about" in relation to the lower limit of 2.5% polyamide is believed to place the claims in condition for allowance, Applicants are not addressing herein the § 102(b)/103(a) rejections set forth in the Office Action. However, to the extent appropriate, Applicants restate the arguments made in the February 28, 2002, Amendment Accompanying RCE with respect to the rejections under 35 U.S.C. § 102(b)/103(a).

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APPLICATION SERIAL NO.: 09/628,623

Enclosed herewith is Credit Card Payment Form PTO-2038, which authorizes credit card payment in the amount of \$168.00 for the two additional independent claims. No additional fee is believed to be due; however, the Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment to Deposit Account No. 14-0629.

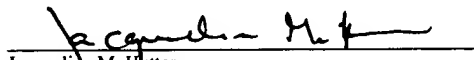
Respectfully submitted,
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CERTIFICATE OF MAILING

I hereby certify that this AMENDMENT is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on the date shown below.


Jacqueline M. Hutter

5/10/02
Date

W136818

VERSION WITH MARKINGS TO SHOW CHANGES MADE

Please cancel claims 11 and 15, without prejudice.

1. (Three Times Amended) A polymer blend comprising:
 - I. from [about] 80 to [about] 97.5 weight % of a semi-crystalline polyester, which comprises the residues of
 - (A) a dicarboxylic acid component comprising repeat units from at least about 80 mole % of terephthalic acid, isophthalic acid, naphthalene-2,6-dicarboxylic acid or a mixture thereof; and
 - (B) a glycol component comprising repeat units from at least about 85 mole % ethylene glycol,
 - wherein components A) and B) are based on 100 mole % dicarboxylic acid and 100 mole % of glycol; and
 - II. from [about] 20 to [about] 2.5 weight % of a low molecular weight polyamide, having a number average molecular weight of less than about 15,000, having the repeating unit A-D, wherein A is the residue of a dicarboxylic acid comprising adipic acid, isophthalic acid, terephthalic acid, 1,4-cyclohexanedicarboxylic, resorcinol dicarboxylic acid, or naphthalenedicarboxylic acid, or a mixture thereof, and D is a residue of a diamine comprising *m*-xylylene diamine, *p*-xylylene diamine, hexamethylene diamine, ethylene diamine, or 1,4-cyclohexanedimethylamine, or a mixture thereof,

wherein components I and II total 100 weight % of the polymer blend.

14. (Three Times Amended) A method for reducing gas permeability of polyester comprising blending:
- I. from [about] 80 to [about] 97.5 weight % of a semi-crystalline polyester, which comprises the residues of:
 - (A) a dicarboxylic acid component comprising repeat units from at least about 85 mole % of terephthalic acid, naphthalene-2,6-dicarboxylic acid or a mixture thereof; and
 - (B) a glycol component comprising repeat units from at least about 85 mole % ethylene glycol,
- wherein components A) and B) are based on 100 mole % dicarboxylic acid and 100 mole % of glycol; and
- II. from [about] 20 to [about] 2.5 weight % of a low molecular weight polyamide having a number average molecular weight of less than about 15,000 having the repeating unit A-D, wherein A is the residue of a dicarboxylic acid comprising adipic acid, isophthalic acid, terephthalic acid, 1,4-cyclohexanedicarboxylic, resorcinol dicarboxylic acid, or naphthalenedicarboxylic acid, or a mixture thereof, and D is the residue of a diamine comprising *m*-xylylene diamine, *p*-xylylene diamine, hexamethylene diamine, ethylene diamine, or 1,4-cyclohexanedimethylamine, or a mixture thereof,
- wherein components I and II total 100 weight % of the polymer blend.
20. (Amended) [The polymer blend of claim 1,] A polymer blend comprising:

- I. from about 80 to about 97 weight % of a semi-crystalline polyester, which comprises the residues of
- (A) a dicarboxylic acid component comprising repeat units from at least about 80 mole % of terephthalic acid, isophthalic acid, naphthalene-2,6-dicarboxylic acid or a mixture thereof; and
- (B) a glycol component comprising repeat units from at least about 85 mole % ethylene glycol,

wherein components A) and B) are based on 100 mole % dicarboxylic acid and 100 mole % of glycol; and

- II. [wherein the amount of low molecular weight polyamide is] from about 20 to [greater than] about 3 weight %, having a number average molecular weight of less than about 15,000, having the repeating unit A-D, wherein A is the residue of a dicarboxylic acid comprising adipic acid, isophthalic acid, terephthalic acid, 1,4-cyclohexanedicarboxylic, resorcinol dicarboxylic acid, or naphthalenedicarboxylic acid, or a mixture thereof, and D is a residue of a diamine comprising *m*-xylylene diamine, *p*-xylylene diamine, hexamethylene diamine, ethylene diamine, or 1,4-cyclohexanedimethylamine, or a mixture thereof,

wherein components I and II total 100 weight % of the polymer blend.

21. (Amended) [The method of claim 14,] A method for reducing gas permeability of polyester comprising blending:

- I. from about 80 to about 97 weight % of a semi-crystalline polyester, which comprises the residues of:

(A) a dicarboxylic acid component comprising repeat units from at least about 85 mole % of terephthalic acid, naphthalene-2,6-dicarboxylic acid or a mixture thereof; and

(B) a glycol component comprising repeat units from at least about 85 mole % ethylene glycol,

wherein components A) and B) are based on 100 mole % dicarboxylic acid and 100 mole % of glycol; and

II. [wherein the amount of low molecular weight polyamide is] from about 20 to [greater than] about 3 weight %, having a number average molecular weight of less than about 15,000, having the repeating unit A-D, wherein A is the residue of a dicarboxylic acid comprising adipic acid, isophthalic acid, terephthalic acid, 1,4-cyclohexanedicarboxylic, resorcinol dicarboxylic acid, or naphthalenedicarboxylic acid, or a mixture thereof, and D is a residue of a diamine comprising *m*-xylylene diamine, *p*-xylylene diamine, hexamethylene diamine, ethylene diamine, or 1,4-cyclohexanedimethylamine, or a mixture thereof,

wherein components I and II total 100 weight % of the polymer blend.

22. (Amended) An article comprising a polymer blend comprising:

I. from [about] 80 to [about] 97.5 weight % of a semi-crystalline polyester, which comprises the residues of

- (A) a dicarboxylic acid component comprising repeat units from at least about 80 mole % of terephthalic acid, naphthalene-2,6-dicarboxylic acid or a mixture thereof; and
- (B) a glycol component comprising repeat units from at least about 85 mole % ethylene glycol,

wherein components A) and B) are based on 100 mole % dicarboxylic acid and 100 mole % of glycol; and

- II. from [about] 20 to [about] 2.5 weight % of a low molecular weight polyamide, having a number average molecular weight of less than about 15,000, having the repeating unit A-D, wherein A is the residue of a dicarboxylic acid comprising adipic acid, isophthalic acid, terephthalic acid, 1,4-cyclohexanedicarboxylic, resorcinol dicarboxylic acid, or naphthalenedicarboxylic acid, or a mixture thereof, and D is a residue of a diamine comprising *m*-xylylene diamine, *p*-xylylene diamine, hexamethylene diamine, ethylene diamine, or 1,4-cyclohexanedimethylamine, or a mixture thereof,

wherein components I and II total 100 weight % of the polymer blend and wherein the article has a haze value of from about 2 to about 5 times less than a polymer blend comprising polyester terephthalate and MXD6.